# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/527,350 | 03/17/2000 | MASAHITO NIIKAWA | 15162/01620 | 6531 |

| 24367 | 7590 | 09/09/2005 |
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| EXAMINER |
|---|
| HANNETT, JAMES M |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2612 | |

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/527,350 | NIIKAWA ET AL. |
| | Examiner | Art Unit | |
| | James M. Hannett | 2612 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>*21 June 2005*</u>.

2a)☒ This action is **FINAL**.　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-29* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 March 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some * c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed 6/21/2005 have been fully considered but they are not

persuasive. The applicant argues that Yamazaki et al in view of Matsuzaki et al does not teach

the present invention as described in the independent Claims. In response to the applicant's

arguments, the examiner has added detail and additional information in the following office

action in an attempt to clarified the rejections.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

**1:**      Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN

5,768,604 Yamazaki et al in view of USPN 5,627,569 Matsuzaki et al.

**2:**      Regarding claims 1 and 15. Yamazaki discloses, in Figure 1, an electronic information

device comprising: a display (13); an electronic power source for supplying driving power to the

display (see col. 4, Lines 24-30). Furthermore, Yamazaki et al teaches on Column 5, Lines 1-14

and Lines 34-50 and depicts in Figure 7 that after no keys or actions are performed (73) for a

certain period, the computer checks to see if writing to the LCD display is complete (75). If the

writing is not complete, subroutine (75) sends a command to reset the timer value (74). Resetting

the timer value is viewed by the examiner as initiating a command to turn off the power to the

display. However, the power off command will not be executed until the timer value has been

allowed to reach zero. This would result if the computer has completed writing to the video memory and no keys has been pressed on the computer during the set time period in (74). Therefore, Yamazaki teaches a controller which, in response to a command to turn off the electric power source (command to reset the power down counter after leaving subroutine (75) which is issued while the display is performing writing. Yamazaki teaches that in subroutine (75) if display writing is occurring an initiate power down command is executed which results in the counter to be reset. Furthermore, Yamazaki teaches turning off the electric power source (shift to standby mode) after completion of the writing. Yamazaki teaches in Figure 7 that if video memory writing is still occurring, subroutine (75) will not power down until the computer detects that no video writing is occurring. Yamazaki does not expressly disclose the use of a display with uses a material having a memory effect.

Matsuzaki reveals that it is well known in the art to utilize ferro-electric liquid crystal displays for their memory effect (see col. 1, lines 31-56). Matsuzaki et al further teaches that an advantage of using the LCD display with a memory feature is that the image is displayed on the display even after the power source to the display has been turned off Column 1, Lines 50-53 and Column 1, Lines 62-64. Therefore, Matsuzaki et al teaches that the display is capable of displaying a complete image after the power source has been turned off.

It would have been obvious to one of ordinary skill in the art to modify Yamazaki's teachings of displaying image data using a conventional display with Matsuzaki's teachings of a display with a memory effect. One would have been motivated to implement Matsuzaki's teachings in an effort to retain a display state for a substantially long time. The examiner further notes that displays with a memory effect are known for consuming less electric power.

3:      Regarding claims 2 and 16, Yamazaki discloses that the information is written on the

display based on image data (see col. 3, line 2).

4:      Regarding claims 3 and 17, Yamazaki discloses, in figure 1, an image pickup unit

(15) which picks up an image of an object by use on an image sensor and produces the image

data (see col. Line 6).

5:      Regarding claim 4, Yamazaki teaches a computer system with a power saving mode

which inhibits a power off command to the display once writing of image data is detected.

Yamazaki does not expressly disclose displaying and writing thumbnail images.

        Official Notice is taken that it is well known in the art to display thumbnail images on a

computer monitor.

        It would have been obvious to one of ordinary skill in the art at the time the invention

was made for Yamazaki to implement such teachings since thumbnail images are notoriously

associated with display devices.

6:      Regarding claims 5 and 19, see claim 1 above. In addition, Yamazaki discloses an

automatic power-off process which turns off the electric power source at a specified time (see

col. 4, lines 24-50). Furthermore, Yamazaki et al teaches on Column 5, Lines 1-14 and Lines 34-

50 and depicts in Figure 7 that after no keys or actions are performed (73) for a certain period,

the computer checks to see if writing to the LCD display is complete (75). If the writing is not

complete, subroutine (75) sends a command to reset the timer value (74). Resetting the timer

value is viewed by the examiner as initiating a command to turn off the power to the display.

However, the power off command will not be executed until the timer value has been allowed to

reach zero. This would result if the computer has completed writing to the video memory and no

keys has been pressed on the computer during the set time period in (74). Therefore, Yamazaki

teaches a controller which, in response to a command to turn off the electric power source

(command to reset the power down counter after leaving subroutine (75) which is issued while

the display is performing writing. Yamazaki teaches that in subroutine (75) if display writing is

occurring an initiate power down command is executed which results in the counter to be reset.

Furthermore, Yamazaki teaches turning off the electric power source (shift to standby mode)

after completion of the writing. Yamazaki teaches in Figure 7 that if video memory writing is

still occurring, subroutine (75) will not power down until the computer detects that no video

writing is occurring. Matsuzaki et al further teaches that an advantage of using the LCD display

with a memory feature is that the image is displayed on the display even after the power source

to the display has been turned off Column 1, Lines 50-53 and Column 1, Lines 62-64. Therefore,

Matsuzaki et al teaches that the display is capable of displaying a complete image after the power

source has been turned off.

7:      Regarding claims 6 and 20, Yamazaki discloses shifting from a "normal power-on state"

to a "standby state" after a predetermined timing period has elapsed; and thus, inherently teaches

a timer for counting a specified time period from a specified operation of the electronic

information device and for determining the specified time to turn off the electric power source.

8:      Regarding claims 7 and 21, Yamazaki discloses the specified operation includes an

operation of a key switch (see col. 4, line 40).

9:      Regarding claims 8 and 22, see claim 2 above.

10:     Regarding claims 9 and 23, see claim 3 above.

11:     Regarding claim 10, see claim 4 above.

12:     Regarding claims 11 and 24, Yamazaki discloses, in Figure 1, an electronic information

device comprising: a display (13); an electronic power source for supplying driving power to the

display (see col. 4, Lines 24-30). Furthermore, Yamazaki et al teaches on Column 5, Lines 1-14

and Lines 34-50 and depicts in Figure 7 that after no keys or actions are performed (73) for a

certain period, the computer checks to see if writing to the LCD display is complete (75). If the

writing is not complete, subroutine (75) sends a command to reset the timer value (74). Resetting

the timer value is viewed by the examiner as initiating a command to turn off the power to the

display. However, the power off command will not be executed until the timer value has been

allowed to reach zero. This would result if the computer has completed writing to the video

memory and no keys has been pressed on the computer during the set time period in (74).

Therefore, Yamazaki teaches a controller which, in response to a command to turn off the

electric power source (command to reset the power down counter after leaving subroutine (75)

which is issued while the display is performing writing. Yamazaki teaches that in subroutine

(75) if display writing is occurring an initiate power down command is executed which results in

the counter to be reset. Furthermore, Yamazaki teaches turning off the electric power source

(shift to standby mode) after completion of the writing. Yamazaki teaches in Figure 7 that if

video memory writing is still occurring, subroutine (75) will not power down until the computer

detects that no video writing is occurring. Yamazaki does not expressly disclose the use of a

display with uses a material having a memory effect.

        Matsuzaki reveals that it is well known in the art to utilize ferro-electric liquid crystal

displays for their memory effect (see col. 1, lines 31-56). Matsuzaki et al further teaches that an

advantage of using the LCD display with a memory feature is that the image is displayed on the

display even after the power source to the display has been turned off Column 1, Lines 50-53 and

Column 1, Lines 62-64. Therefore, Matsuzaki et al teaches that the display is capable of

displaying a complete image after the power source has been turned off.

It would have been obvious to one of ordinary skill in the art to modify Yamazaki's

teachings of displaying image data using a conventional display with Matsuzaki's teachings of a

display with a memory effect. One would have been motivated to implement Matsuzaki's

teachings in an effort to retain a display state for a substantially long time. The examiner further

notes that displays with a memory effect are known for consuming less electric power.

13:    Regarding claims 12 and 25, Yamazaki discloses the first input member is for inputting a

command to shut off the supply of electric power to the display (see figure 4 where the suspend

switch 410 shuts off power to the display).

14:    Regarding claims 13 and 26, Yamazaki discloses, in figure 4, a second input member

(Key Input Suspend SW 411) with which an operator can input a command which is different

from the command inputted with the first input member; wherein, the controller controls the

electronic information device in accordance with the command sent from the second input

member regardless of whether or not writing on the display is being performed.

15:    Regarding claims 14 and 27, Yamazaki teaches a computer system with a power saving

mode which inhibits a power off command to the display once writing of image data is detected.

Yamazaki also reveals the use of a camera connected to the computer system for inputting image

data; and thus has a shutter button.

Official Notice is taken that it is well known in the art that the capturing of image data

using the shutter button could be performed without affecting the writing of image data on a

display (i.e. the image could be stored in the camera before it is sent to display; and thus it would have been obvious to one or ordinary skill in the art that the controller be able to control the electronic information device in accordance with the command sent from the second input member regardless of whether or not writing on the display is being performed since image capture does not directly affect writing on the display.

16:     Regarding claim 18, see claim 4 above.

17:     Regarding claim 28, see claim 1 above.

18:     Regarding claim 29, see claim 19 above.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.
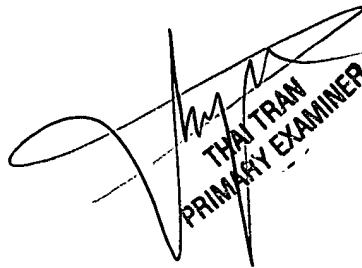
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
September 2, 2005